



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Gerlach, et al.

**SERIAL NUMBER:** 09/970607

**EXAMINER:** Terry Alan McKelvey

**FILING DATE:** 10/03/2001

**ART UNIT:** 1636

**FOR:** NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION AND AMENDMENT TO CORRECT INVENTORSHIP IN A NONPROVISIONAL  
PATENT APPLICATION UNDER 37 C.F.R. §1.48(a) and (b).**

Dear Sir:

The prosecution of the above-identified nonprovisional application has resulted in the cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the instant application. Therefore, by rule 37 C.F.R. §1.48(b), Applicants submit this Amendment and Petition to correct inventorship by deleting the following name(s):

**Ellerman, Karen E.;**

**Gerlach, Valerie L.;**

**Herrmann, John ;**

**MacDougall, John R.;**

**Rastelli, Luca ;**

**Shimkets, Richard A.;**

**Smithson, Glennda**

Each of the above listed inventors' invention is no longer being claimed in the instant nonprovisional application.

In addition, by rule 37 C.F.R. §1.48(a), Applicants submit this Amendment and Petition to correct inventorship by adding the following name, which was not included on the application at the time of filing. This error is without deceptive intent, as he is included on the parent case, U.S.S.N. 09/783429, filed February 14, 2001. Please correct inventorship by adding the following name:

09/20/2005 6763331 000006 1636  
03 16:14:54 130.10 10

Applicants: Gerlach et al.  
U.S.S.N. 09/970,607

**Malyankar, Uriel M.**

Applicant submits herewith the appropriate fees set forth in 37 C.F.R. §1.17(i). The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 15966-675CIP2.

Should the Commissioner have any questions concerning this petition, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,



Dated: February 3, 2004

Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicant  
c/o MINTZ, LEVIN  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623

TRA 1881496v1

**PATENT APPLICATION FEE DETERMINATION RECORD**  
Effective October 1, 2001

Application or Docket Number

09/970607  
159.666.775.71P2

**CLAIMS AS FILED - PART I**

	(Column 1)	(Column 2)
TOTAL CLAIMS	79	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	79 minus 20 =	59
INDEPENDENT CLAIMS	4 minus 3 =	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

**CLAIMS AS AMENDED - PART II**

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	7	79	0
Independent	2	4	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	7	79	0
Independent	1	4	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			
Independent			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	370.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	740.00
X\$18=	
X84=	
+280=	
TOTAL	

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	